

6 month reporting date 9/12/03
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Brookings School District Improvement/Progress Report Form

Principle: Free Appropriate Public Education				
<p>Present levels: (Statement of present levels of performance that resulted in area of non-compliance)</p> <p>In the course of reviewing student files, the team was apprised of a situation of an elementary student whose IEP team had not convened to discuss the results of a triennial reevaluation. In interview with the special educator, she indicated she had purposely not convened a team meeting, to prevent action occurring regarding the student's eligibility. The reevaluations of the student occurred in October, 2001. At the time of the review team onsite visit, no meeting had yet been held.</p>				
<p>Desired Outcome(s): Through systemic change, the district/agency will achieve these results for students with disabilities and their families.</p> <p>Parents and other team members will meet within required timelines to discuss evaluation results and determine a student's potential eligibility for special education or special education and related services.</p>				
<p>Measurable Goal: The district/agency determines what goals are appropriate given the areas of difficulty. There must be a direct relationship between the goal(s) and the needs identified in the present levels. (Multiple goals may be identified for each principle. Please complete a new sheet for each goal.)</p> <p>The district will not exceed required timelines for meeting to discuss evaluation results.</p>				
Short Term Objectives: Include the specific measurable results that will be accomplished and the criteria that will be used to measure the results.	Timeline for Completion	Person(s) Responsible	6 month progress Record date objective is met	12 month progress Record date objective is met
1.1 The district will provide documentation on the student mentioned on page 2 of the monitoring report, which verifies that the IEP team met to discuss the results of his 3-year reevaluation.	November 2002	Special Education Director	Documentation previously sent Nov 2002	Goal met
1.2 The special education director will sample 23 student files to verify that evaluation results are discussed, by team members, within required timelines in 100% of files sampled. (one for each special education case manager)	November 2003	Special Education Director	Sept 2003	100% of files reviewed April 2004
Please explain the data (6 month) Of 33 files reviewed, all 33 were verified that evaluation results were discussed, by team member, within required timelines. This has been stressed by the director and written and verbal reminders are given. Prior notices, MDT reports, and IEPs were reviewed				

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Please explain the data (12 month)

1.2 – Of 19 files reviewed, all 19 were verified that evaluation results were discussed, by team members, within required timelines. This is continually stressed by the director. Prior notices, MDT reports, and IEPs are monitored by the director.

Principle: Appropriate Evaluation

Present levels: (Statement of present levels of performance that resulted in area of non-compliance)

The review team found the following areas out of compliance in the process of validating district's self-assessment:

Parental input in the evaluation process

Districts are required to ensure that a variety of assessment tools and strategies are used to gather relevant functional and development information about the child, including information provided by the parent. The review team finds the district has not ensured parental input into the evaluation process. Thirty-nine files were seen by the district in which evaluations were conducted, but no evidence of parental input was documented. In interview with district staff, they report contacting parents; however, no documentation of this opportunity for parent input is occurring.

Determination of Needed evaluation data

The district staff reported they were unclear how to decide what tests to select, or they indicated they felt they had been directed to give one particular test. A review of evaluation completed by the district revealed that educators were utilizing one test for achievement almost exclusively. It was noted that this situation was also an issue during the district's previous compliance monitoring in 1997. The review team did not find any type of process within the district for the evaluation team to determine what tests will be administered to determine eligibility for special education. In interview, staff verified they did not have a process for documentation of how the selection of test occurs.

Evaluation Procedures

A review of forty-one files found no evidence of functional evaluation to assist in determining whether the child with a disability and to assist in determining the content of the child's IEP. Staff reported to the review team they were unclear about the requirement to perform functional assessments and how this information pertained to the development of the IEP.

Administrative rules state the district must ensure that the test is administered by trained and knowledgeable personnel in conformance with the instructions provided by the test producers. Teachers reported the use of an achievement test the WIAT, to measure educational achievement. The manual for administration of this test lists user qualifications as "individuals who are involved in educational or psychological testing and who have graduate-level training in the use of individually administered instruments". The district did not provide verification that each administrator of the WIAT possessed graduate level training as a minimum. In interview with special educators, it was unclear if all educators meet this standard. The social skills teacher gives the BES-2, a scale for measuring social-emotional behavior concerns. This instrument requires the person interpreting the results to have appropriate training, and experience in scoring, interpretation and use of psycho-educational instruments. In interview with the educator, she reported no specific training in this type of instrument.

Districts are required to ensure that the child is assessed in all areas of the suspected disability. The reviewers found five files of students where behavioral difficulties were prominent in their IEP, referral or via interview with the special educator. In these five files, no behavioral assessments had been conducted. In addition to the issues of behavioral assessment, there were several examples found where students were not adequately reevaluated. One student, identified as having mental retardation, had not had an ability measure performed for six years. There was no evidence of the evaluation team meeting to determine whether or not an ability measure was needed to determine continued eligibility. A similar situation was seen with a high school student where no achievement of ability was performed during their last triennial reevaluation. No documentation or notice to the parents of that decision was seen in the file.

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Determination of eligibility

Student files were reviewed for documentation of eligibility. In eight student files, the review team found a multidisciplinary team report that identified the student's disabling condition as different from that seen on the reported child count. As an example, a student was reported on the count as other health impaired, but the MDT report stated the student was eligible under learning disability. Another student was seen on the count as having an emotional disturbance, but the eligibility report listed him as having mental retardation. In interview with the special education director, he provided the district has in the process of changing their systems to ensure eligibility is determined and reported accurately. It was noted that identification of students (Students with Disabilities defines.) was an issue in the district's 1997 compliance monitoring report.

Issues requiring immediate attention

In two separate student files, the team found the student's disabling condition reported on the child count was not substantiated by documentation within the files. One student was identified as having multiple disabilities of a combination of mental retardation, emotional disturbance and orthopedic impairment. The student's evaluation information did not support meeting the criteria for mental retardation. For another student, they were reported as being eligible under the category of other health impairment, however, no adverse effect on the student's educational performance was seen in documentation.

Short-term evaluation program:

The district placed a student as Children's Home Society under a short-term evaluation program. No consent for the student's evaluations was found. In addition, the student did not have an interim individualized education program developed for service provision at the facility. Documentation and interview with staff indicated that district was aware the student did not have an IEP in place during this time period.

Desired Outcome(s): Through systemic change, the district/agency will achieve these results for students with disabilities and their families.

The district will conduct evaluations that are meaningful and result in better parent understanding of the evaluation process. As a result the IEP team will have a clearer picture of the child's educational needs. Students will then become beneficiaries of more effective program planning.

Measurable Goal: The district/agency determines what goals are appropriate given the areas of difficulty. There must be a direct relationship between the goal(s) and the needs identified in the present levels. **(Multiple goals may be identified for each principle. Please complete a new sheet for each goal.)**

1) Parent input will be obtained by the district and documented on prior notices.

Short Term Objectives: Include the specific measurable results that will be accomplished and the criteria that will be used to measure the results.	Timeline for Completion	Person(s) Responsible	6 month progress Record date objective is met	12 month progress Record date objective is met
1.1 The special education director will gather data on documentation of parental input in the evaluation process on prior notices to parents.	November 2003	Special Education Director	64% - 33 of files Sept 2003	94% of 19 files reviewed April 2004

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1.2 The special education director will conduct a sampling of 23 student files at 80% for the first year and an improvement of 5% every year thereafter.	November 2002-2006	Special Education Director		
Please explain the data (6 month) Of 33 files (prior notices) reviewed, 21 (64%) showed documentation of parental input in the evaluation process on prior notices to parents. Case managers are reminded to address this when sending prior notices to parents for pre-assessment meetings for initial or 3-year re-evaluations.				
Please explain the data (12 month) Of 19 files (prior notices) reviewed, 81 (95%) showed documentation of parental input in the evaluation process on prior notices to parents. Case managers are reminded to address this when sending prior notices to parents for pre-assessment meetings for initial or 3-year re-evaluations. Great improvement since inservice.				

Determination of eligibility

Student files were reviewed for documentation of eligibility. In eight student files, the review team found a multidisciplinary team report that identified the student's disabling condition as different from that seen on the reported child count. As an example, a student was reported on the count as other health impaired, but the MDT report stated the student was eligible under learning disability. Another student was seen on the count as having an emotional disturbance, but the eligibility report listed him as having mental retardation. In interview with the special education director, he provided the district has in the process of changing their systems to ensure eligibility is determined and reported accurately. It was noted that identification of students (Students with Disabilities defined.) was an issue in the district's 1997 compliance monitoring report.

Issues requiring immediate attention

In two separate student files, the team found the student's disabling condition reported on the child count was not substantiated by documentation within the files. One student was identified as being have multiple disabilities of a combination of mental retardation, emotional disturbance and orthopedic impairment. The student's evaluation information did not support meeting the criteria for mental retardation. For another student, they were reported as being eligible under the category of other health impairment, however, no adverse effect on the student's educational performance was seen in documentation.

Short-term evaluation program:

The district placed a student as Children's Home Society under a short-term evaluation program. No consent for the student's evaluations was found. In addition, the student did not have an interim individualized education program developed for service provision at the facility. Documentation and interview with staff indicated that district was aware the student did not have an IEP in place during this time period.

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<p>Desired Outcome(s): Through systemic change, the district/agency will achieve these results for students with disabilities and their families.</p> <p>The district will conduct evaluations that are meaningful and result in better parent understanding of the evaluation process. As a result the IEP team will have a clearer picture of the child's educational needs. Students will then become beneficiaries of more effective program planning.</p>				
<p>Measurable Goal: The district/agency determines what goals are appropriate given the areas of difficulty. There must be a direct relationship between the goal(s) and the needs identified in the present levels. (Multiple goals may be identified for each principle. Please complete a new sheet for each goal.)</p> <p>2) Multidisciplinary teams will determine which evaluations are to be completed to reflect determination of appropriate assessments to be conducted.</p>				
<p>Short Term Objectives: Include the specific measurable results that will be accomplished and the criteria that will be used to measure the results.</p>	<p>Timeline for Completion</p>	<p>Person(s) Responsible</p>	<p>6 month progress Record date objective is met</p>	<p>12 month progress Record date objective is met</p>
<p>2.1 A checklist will be developed and utilized by IEP teams in determining appropriate assessment to be conducted.</p>	<p>November 2002</p>	<p>Special Education Director</p>	<p>Checklist developed and utilized at 79% of files reviewed</p>	<p>Checklist utilized in 95% of files reviewed</p>
<p>2.2 The special education director will conduct a sampling of 23 student files at 80% for the first year and improvement of 5% every year thereafter.</p>	<p>November 2002-2006</p>	<p>Special Education Director</p>		
<p>Please explain the data (6 month) Of 33 files reviewed, 26 (79%) utilized pre-assessment team input forms developed by the special education director to determine appropriate assessments to be conducted. Documentation of parent input on prior notices and pre-assessment form was at 73% 22 of 30 files. Documentation of other team input on evaluations was also at 73% (22 of 30 files)</p>				

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Please explain the data (12 month)

Of 19 files reviewed, 18 (95%) utilized pre-assessment team input forms developed by the director to determine appropriate assessments to be conducted. Documentation of parent input on prior notices and pre-assessment forms was at 95%, 18 of 19 files. Documentation of other team input on evaluations was at 74% (15 of 19 files).

Determination of eligibility

Student files were reviewed for documentation of eligibility. In eight student files, the review team found a multidisciplinary team report that identified the student's disabling condition as different from that seen on the reported child count. As an example, a student was reported on the count as other health impaired, but the MDT report stated the student was eligible under learning disability. Another student was seen on the count as having an emotional disturbance, but the eligibility report listed him as having mental retardation. In interview with the special education director, he provided the district has in the process of changing their systems to ensure eligibility is determined and reported accurately. It was noted that identification of students (Students with Disabilities defines.) was an issue in the district's 1997 compliance monitoring report.

Issues requiring immediate attention

In two separate student files, the team found the student's disabling condition reported on the child count was not substantiated by documentation within the files. One student was identified as having multiple disabilities of a combination of mental retardation, emotional disturbance and orthopedic impairment. The student's evaluation information did not support meeting the criteria for mental retardation. For another student, they were reported as being eligible under the category of other health impairment, however, no adverse effect on the student's educational performance was seen in documentation.

Short-term evaluation program:

The district placed a student as Children's Home Society under a short-term evaluation program. No consent for the student's evaluations was found. In addition, the student did not have an interim individualized education program developed for service provision at the facility. Documentation and interview with staff indicated that district was aware the student did not have an IEP in place during this time period.

Desired Outcome(s): Through systemic change, the district/agency will achieve these results for students with disabilities and their families.

The district will conduct evaluations that are meaningful and result in better parent understanding of the evaluation process. As a result the IEP team will have a clearer picture of the child's educational needs. Students will then become beneficiaries of more effective program planning.

Measurable Goal: The district/agency determines what goals are appropriate given the areas of difficulty. There must be a direct relationship between the goal(s) and the needs identified in the present levels. **(Multiple goals may be identified for each principle. Please complete a new sheet for each goal.)**

3) The district will use functional and other multifaceted evaluations administered by trained and knowledgeable personnel in all areas of the child's suspected disability.

Short Term Objectives: Include the specific measurable results that will be accomplished and the criteria that will be used to measure the results.	Timeline for Completion	Person(s) Responsible	6 month progress Record date objective is met	12 month progress Record date objective is met
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3.1 The special education director will sample 23 student files containing evaluation checklists to verify that functional evaluations have been conducted to assist in determining whether the child is a child with a disability and to assist in determining the content of the child's IEP in 100% of files samples.	November 2003	Special Education Director	Evaluation checklists and MDT reports verify functional evals in 98% of files reviewed as of Sept 2003	Evaluation checklists and MDT reports verify functional evals. In 100% of files reviewed April 2004
3.2 The special education director will sample student files that contain referrals and evaluation checklists to ensure that students are evaluated in all areas of the suspected disability in 100% of files.	November 2003	Special Education Director		
3.3 The special education director will ensure that all assessments administered to determine student's disabling conditions will be administered by trained and knowledgeable personnel. These personnel will have graduate level training to be able to administer assessments utilized to determine student's disabling conditions as verified by the special education director.	November 2003	Special Education Director		
Please explain the data (6 month) 3.2 – of 33 files reviewed (referrals and evaluation checklists). 32 (98%) of those files documented students were evaluated in all areas of suspected disability. 3.3 – All 33 files reviewed (100%) verified all assessments administered by trained and knowledgeable personnel. If personnel do not have a master's level training, assessments are completed by the school psychologist.				
Please explain the data (12 month) 3.2 – Of 19 files reviewed (referrals and evaluation checklists), 19 (100%) of those files documented students were evaluated in all areas of suspected disability. 3.3 – All 19 files reviewed (100%) verified all assessments were administered by trained and knowledgeable personnel. If personnel do not have graduate level training, assessments are completed by school psychologist.				

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<p>Determination of eligibility Student files were reviewed for documentation of eligibility. In eight student files, the review team found a multidisciplinary team report that identified the student's disabling condition as different from that seen on the reported child count. As an example, a student was reported on the count as other health impaired, but the MDT report stated the student was eligible under learning disability. Another student was seen on the count as having an emotional disturbance, but the eligibility report listed him as having mental retardation. In interview with the special education director, he provided the district has in the process of changing their systems to ensure eligibility is determined and reported accurately. It was noted that identification of students (Students with Disabilities defines.) was an issue in the district's 1997 compliance monitoring report.</p> <p><u>Issues requiring immediate attention</u> In two separate student files, the team found the student's disabling condition reported on the child count was not substantiated by documentation within the files. One student was identifies as being have multiple disabilities of a combination of mental retardation, emotional disturbance and orthopedic impairment. The student's evaluation information did not support meeting the criteria for mental retardation. For another student, they were reported as being eligible under the category of other health impairment, however, no adverse effect on the student's educational performance was seen in documentation.</p> <p>Short-term evaluation program: The district placed a student as Children's Home Society under a short-term evaluation program. No consent for the student's evaluations was found. In addition, the student did not have an interim individualized education program developed for service provision at the facility. Documentation and interview with staff indicated that district was aware the student did not have an IEP in place during this time period.</p>				
<p>Desired Outcome(s): Through systemic change, the district/agency will achieve these results for students with disabilities and their families.</p> <p>The district will conduct evaluations that are meaningful and result in better parent understanding of the evaluation process. As a result the IEP team will have a clearer picture of the child's educational needs. Students will then become beneficiaries of more effective program planning.</p>				
<p>Measurable Goal: The district/agency determines what goals are appropriate given the areas of difficulty. There must be a direct relationship between the goal(s) and the needs identified in the present levels. (Multiple goals may be identified for each principle. Please complete a new sheet for each goal.)</p> <p>4) The district will determine and report eligibility accurately and obtain parental consent and implement interim IEPS for short-term evaluation programs.</p>				
<p>Short Term Objectives: Include the specific measurable results that will be accomplished and the criteria that will be used to measure the results.</p>	<p>Timeline for Completion</p>	<p>Person(s) Responsible</p>	<p>6 month progress Record date objective is met</p>	<p>12 month progress Record date objective is met</p>
<p>4.1 The special education director will implement a procedure to monitor student files including multidisciplinary team reports to ensure that disabling conditions are reported accurately on the districts child count document in 100% of student files. A sample of 23 student files will be monitored to ensure proper reporting of disabling conditions.</p>	<p>December 1, 2002 to December, 2006</p>	<p>Special Education Director</p>	<p>97% of files reviewed as of Sept 2003</p>	<p>100% of files reviewed April 2004</p>

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4.2 On two student files mentioned on page 3 of the monitoring report, the district will provide documentation substantiating the students' disability conditions (mental handicap and health impairment).	November 2002	Special Education Director		
4.3 The special education director will make sure that parental consent is obtained for short-term evaluation programs and that an interim IEP is developed for any such placements 100% of the time.	November 2002-2006	Special Education Director		
Please explain the data (6 month) 4.2 – Previously sent to OSE (Nov 2002). 4.3 – of 33 files reviewed, there were none that involved short-term evaluation programs.				
Please explain the data (12 month) 4.2 – Goal met as per 10/7/03 OSE letter. 4.3 – Of 19 reviewed, there were none that involved short-term evaluation programs.				

Principle: Individualized Education Program
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Present levels: (Statement of present levels of performance that resulted in area of non-compliance)

Sub-Principle – IEP Team

The review team did not validate that IEP team membership is at a maintenance level in the district. During the onsite review, in five records reviewed, a representative from the school district who is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of students with disabilities: is knowledgeable about the general curriculum; and is knowledgeable about the availability of resources of the school district was absent from the IEP meeting. In four records reviewed, the special education staff person was listed as the designee, but during interview, the personnel indicated they did not have authority as to the availability of the resources of the district. In two records reviewed, the regular educator was absent from the required team membership.

Sub-Principle – IEP Content

24:05:27:01.02. Development, review, and revision of individualized education program.

24:05:27:01.03 Content of individualized education program.

The review team found that IEP content was not consistently addressed in the district, and concerns rose to the level of being out of compliance. An administrative rule requires IEP teams shall consider, in the case of a student whose behavior impedes his or her learning or that of others, strategies, including positive behavioral intervention, strategies, and supports, to address that behavior. In seven student records reviewed the individual student's need for behavior plan was not addressed appropriately. In one record, behavioral concerns were identified as a part of the initial referral, however initial evaluations did not include a behavioral assessment nor did the team document that behavior impeded the student's learning. A review of six student files provided students were exhibiting numerous behavioral concerns. These concerns were identified through present levels of performance and/or justification for placement. The accompanying IEPs for each student did not contain any type of behavioral interventions, strategies or supports to address that behavior. In interview, staff stated that students would present with obvious behavioral concerns, but they were not addressed in the development of IEPs.

This rule also requires that the IEP team consider the concerns of the parent for enhancing the education of their student. The review team was unable to verify through documentation in the IEP that parents input and concerns were being considered by the IEP team.

A consistent pattern was seen in student IEPs regarding the present levels of performance statements. Administrative role requires that the statement of present levels of performance include how the student's disability affects their involvement and progress in the general curriculum. In thirty-seven student files reviewed, this was not reflected in the IEP. In addition, the district is not consistently performing functional assessments of student, and as a result, the present levels of performance do not reflect skill-bases data. For secondary level students, the present levels statements were often a regurgitation of current coursework being taken and behavior seen in that class (i.e., "often does not hand in homework", "sharpens pencil excessively").

Annual goals are to be measurable statements that will address meeting the child's needs in order for the student to be involved in and progress in the general curriculum, as well as address the students other educational needs that result from the student's disability. Goals seen in seventeen student files were found vague and immeasurable and unrelated to the general curriculum. Examples seen include "will demonstrate math skills corresponding to standards for third grade" and "will read at increasing levels of complexity for a variety of purposes". The lack of correlation in the present levels of performance to the state standards (general curriculum) and on into annual goals is a consistent compliance issue in the district's development of IEPs.

Desired Outcome(s): Through systemic change, the district/agency will achieve these results for students with disabilities and their families.

Students with disabilities and their families will have individualized education programs that reflect appropriate team membership and contain required content.

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Measurable Goal: The district/agency determines what goals are appropriate given the areas of difficulty. There must be a direct relationship between the goal(s) and the needs identified in the present levels. **(Multiple goals may be identified for each principle. Please complete a new sheet for each goal.)**

1) The district will ensure proper IEP team membership attendance at IEP team meetings.

Short Term Objectives: Include the specific measurable results that will be accomplished and the criteria that will be used to measure the results.	Timeline for Completion	Person(s) Responsible	6 month progress Record date objective is met	12 month progress Record date objective is met
1.1 The special education director will ensure proper IEP team membership by sampling 23 student files (Prior notices and IEP attendance pages) for appropriate team membership including district designee and regular education participants in 100% of team meeting.	November 2003-2006	Special Education Director	88 % of 33 files reviewed as of Sept 2003	
1.2 District and building-level administrators and other possible designee representatives will be provided in-service at the beginning of the 2003-2004 school year and at administrative team meetings to provide a complete understanding of their role on the IEP team.	November 2003-2006	Special Education Director		
Please explain the data (6 month) 1.1 – Of 33 files reviewed (88%) documented proper IEP team attendance, (including designee and regular education) according to prior notice and IEP attendance pages. 1.2 - At 9/9/03 Ad. Team meeting designee role discussed. There will be for other reps on 10/08/03.				
Please explain the data (12 month) 1.1 – Of 19 files reviewed (100%) documented proper IEP team attendance, (including designee and regular education) according to prior notices and IEP attendance pages 1.2 - Designee role defined and discussed at 9/9/03 and 10/8/03 meetings.				

* see attached attendance pages

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Desired Outcome(s): Through systemic change, the district/agency will achieve these results for students with disabilities and their families.

Students with disabilities and their families will have individualized education programs that reflect appropriate team membership and contain required content.

Measurable Goal: The district/agency determines what goals are appropriate given the areas of difficulty. There must be a direct relationship between the goal(s) and the needs identified in the present levels. **(Multiple goals may be identified for each principle. Please complete a new sheet for each goal.)**

2) The district will consistently address IEP content when developing, reviewing and revising IEPs.

Short Term Objectives: Include the specific measurable results that will be accomplished and the criteria that will be used to measure the results.	Timeline for Completion	Person(s) Responsible	6 month progress Record date objective is met	12 month progress Record date objective is met
2.1 The special education director will sample 23 student files to monitor IEP content as it relates to considering strategies, supports and interventions in the case of students whose behavior impedes his or her learning or that of others in 80% of files the first year and an improvement of 5% every year thereafter.	November 2003-2006	Special Education Director	Sept 2003 100%	April 2004 100%
2.2 23 student files will be sampled by the special education director to ensure that IEP teams consider and document the concerns/input of the parent(s) for enhancing the education of their child in 80% of the files the first year and a 5% improvement every year thereafter.	November 2003-2006	Special Education Director	70% of files reviewed as of Sept 2003	84% of files reviewed as of April 2004
2.3 The director will sample 23 student files to ensure that present levels of performance include how the student's disability affects their involvement and progress in the general curriculum and reflect skill-based data based on functional assessments in 80% of files reviewed the first year and a 5% improvement every year thereafter.	November 2003-2006	Special Education Director	91% of files reviewed as of Sept 2003	95% of files reviewed as of April 2004

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2.4 23 students files will be sampled by the special education director to ensure that annual goals are measurable statements that address meeting the student needs so the student can be involved in the progress in the general curriculum (state content standards) in 80% of files sampled the first year and an improvement of 5% every year thereafter.	November 2003-2006	Special Education Director	94% of files reviewed as of Sept 2003	100% of files reviewed as of April 2004
<p>Please explain the data (6 month)</p> <p>2.1 – Of 7 files which had behavioral factor checked (33 files reviewed), all had documented strategies, supports and interventions included.</p> <p>2.2 – Of 33 files reviewed, 23 (70%) had documentation of parent concerns/input being considered for enhancing the education of their child in present levels of performance statements.</p> <p>2.3 – Of 33 files reviewed, 30 (91%) documented how the students disability affects their involvement and progress in the general curriculum and reflect skill – based data based on functional assessments.</p> <p>2.4 – Of 33 files reviewed, 31 (94%) had annual goals that were measurable statements and addressed meeting the students needs so the student can be involved in the progress in the general curriculum (state content standards). The director continues to emphasize including regular and functional content standards for goal and objective statements.</p>				
<p>Please explain the data (12 month)</p> <p>2.1 – Of 4 files which had behavioral special factor checked (19 files reviewed) all had strategies, supports or interventions included.</p> <p>2.2 – Of 19 files reviewed, 16 (84%) had documentation of parent concerns/input being considered for enhancing the education of their child in PLOP statements.</p> <p>2.3 – Of 19 files reviewed, 18 (95%) had documentation on how the student's disability affects their involvement and progress in the general curriculum and reflect skill-based data based on functional assessments</p> <p>2.4 – Of 19 files reviewed 19 (100%) had annual goals that were measurable statements and addressed meeting the student's needs so the student can be involved in the progress in the general curriculum (state content standards). The director continues to emphasize including regular and functional content standards for goal and objective statements.</p>				

Principle: Least Restrictive Environment

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Present levels: (Statement of present levels of performance that resulted in area of non-compliance)

Areas out of compliance

24:05:25:05. Eligibility and placement procedures.

24:05:28:03. Factors in determining placements.

The review team did not validate the district's self-assessment of least restrictive environment as being at a maintenance level. Administrative rules require that in interpreting evaluation data for the purpose of determining eligibility and making placement decision, each school district shall ensure that the placement decision is made by a group of persons, including persons knowledgeable about the child, the meaning of the evaluation data, and the placement options. The district must also ensure that the placement decision is made in conformity with the LRE rules in Chapter 24:05:28. ARSD also requires that each school district establish and implement procedures which ensure that the following factors are addressed in determining placements. These factors include

- (1) each child's educational placement must be individually determined at least annually and must be based on the child's individual education program;
- (2) provisions are made for appropriate classroom or alternative settings necessary to implement a child's individual education program;
- (3) unless a child's individual education plan requires some other arrangement, the child shall be educated in the school which that child would normally attend if not disabled;
- (4) placement in the least restrictive environment will not produce a harmful effect on the child or reduce the quality of services which that child needs; and
- (5) a child with a disability is not removed from education in age-appropriate regular classrooms solely because of needed modifications in the general curriculum.

The monitoring team determined that the district does offer the continuum of program options across the district, but through documentation and interviews with staff, it was clear to the monitoring team that the IEP teams were not considering the full continuum of placements for each individual student. Placement decisions were not being made by the IEP teams in an accept/reject format beginning with the least restrictive environment to the more restrictive environment. Therefore, it is unclear why students are placed in a certain environment due to the lack of documentation. Examples from student files of the justification of placement statements are (1) "The team accepts general classroom with modifications" and (2) The team accepted the placement of two periods or resource classes for the next school year (2001-2002). It is the team's hope to move (the student) into more regular classes as his appropriate positive behavior and attention span increases." In these examples, the IEP teams failed to explain the extent to which the student will not participate with non-disabled peers in the general education classes and activities. Another example from a student file stated the justification for placement was "...The OT and PT goals can best be accomplished using the equipments and facilities outside the classroom for specific skills but modifications are made for (the student) to allow her to function as much as possible in the regular classroom. A teaching assistant is available for (the student) to help meet her physical needs and to work with her on academic goals. General classroom with modifications was rejected since it will not allow her to have the instruction needed with out the embarrassment of competition and distractions that accompany a large classroom setting." The least restrictive environment page indicated that student is placed in the resource room and receives the related services of occupational therapy and physical therapy. The justification for placement states that modifications are made for the student to allow her to function as much as possible in the general classroom, but the team went on to state the general classroom with modifications was rejected. The IEP team failed to determine the least restrictive environment and justify that placement for the student.

It is a requirement that each student's educational placement be individually determined at least annually and must be based on the student's IEP. Through staff interview, it was noted to the monitoring team that pre-determined decisions were made for student placements into a specific academic track without input from the student's IEP team. An example would be that all inclusionary special education students at the middle school are on out "team" in the two-team systems by grade level. Staff also indicated they had a concern that due to the extensive amount of inclusion, there was a lack of direct instruction for students that required such a teaching approach. The placement of the student into the least restrictive environment was not determined through the IEP process, but rather the student was expected to be in the inclusionary setting as most other special education students. There was a lack in the IEP process documentation in how the placement was determined for each individual student's needs.

6 month reporting date 9/12/03
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While not out of compliance, the monitoring team had some concerns about the provisions of services to be made for appropriate classroom and alternated settings necessary to implement the student's IEP. There appears to be little continuity for students with the general education teachers at the middle school level from year to year. In interview, the general educational staff indicated it was difficult to have continuity with the students receiving special education as they instructed them for one semester or one year and then the student was on to another grade level and teaching staff. They are not able to carry over the consistency of the student's specific needs, learning styles and IEP components in a successful manner. Due to the structure of the system, there is difficulty in matching the student's individual needs and learning styles with teaching staff member. Staff indicated for students that are in all general education classes, there is not the ability to work on specific learning tools.

The school district does not provide adequate documentation in the IEP process of the explanation of the extent, if any, to which the child will not participate in the general education curriculum, or extracurricular or other nonacademic activities. The documentation within the students' IEPs does not verify that the IEP teams are determining the appropriate setting after the needs, goals and objectives for the students are determined, nor does it support that the placement decisions are made individually for each child.

Desired Outcome(s): Through systemic change, the district/agency will achieve these results for students with disabilities and their families.

Student with disabilities and their families will be offered the continuum of program options across the district in conformity with Least Restrictive Environment rules.

Measurable Goal: The district/agency determines what goals are appropriate given the areas of difficulty. There must be a direct relationship between the goal(s) and the needs identified in the present levels. **(Multiple goals may be identified for each principle. Please complete a new sheet for each goal.)**

1) District IEP teams will consider the full continuum of placement options for each individual student starting with the least to the more restrictive environment.

Short Term Objectives: Include the specific measurable results that will be accomplished and the criteria that will be used to measure the results.	Timeline for Completion	Person(s) Responsible	6 month progress Record date objective is met	12 month progress Record date objective is met
1.1 23 student files will be sampled by the director of special education to ensure the IEP teams document the discussion of the full continuum of placements for each student in 80% of the file sampled the first year and improvement of 5% for every year thereafter.	November 2003-2006	Special Education Director	73% of files reviewed as of Sept 2003	100% of files reviewed April 2004

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<p>1.2 The special education director or designee in attendance at IEPs will guide team members through the process of discussing and documenting the full continuum of placement for each student in 100% of meetings attended. The special education director will continue to provide inservice documented by signature sheets at the beginning of the 2003-2004 school year regarding the proper way to make placement decisions. Also, file review sheets will show that the full continuum of placement options for each individual student starts with least and proceeds to the more restrictive setting. Sample size for this data will be 23 student files.</p>	<p>November 2003</p>	<p>Special Education Director</p>	<p>100% of files reviewed as of Sept 2003</p>	<p>100% of files reviewed April 2004</p>
<p>Please explain the data (6 month)</p> <p>1.1 – Of 33 files reviewed, 24 (73%), IEP teams documented the discussion of the full continuum of placements for each student. The director is monitoring this part of LRE.</p> <p>Of 33 files reviewed, all showed required documentation. The director routinely guides team members through the process. A 10/8/03 inservices will be held with special education staff regarding the proper way to make placement decisions. Attendance sheets will be sent.</p>				
<p>Please explain the data (12 month)</p> <p>1.1 Of 19 files reviewed, 19 (100%) IEP teams documented the discussion of the full continuum of placements for each student. The director is monitoring this part of LRE.</p> <p>Of 19 files reviewed, all showed required documentation. The director routinely guides team members through the process. A 10/8/03 inservices was held instructions special education staff regarding the proper way to make placement decisions.</p>				

While not out of compliance, the monitoring team had some concerns about the provisions of services to be made for appropriate classroom and alternated settings necessary to implement the student's IEP. There appears to be little continuity for students with the general education teachers at the middle school level from year to year. In interview, the general educational staff indicated it was difficult to have continuity with the students receiving special education as they instructed them for one semester or one year and then the student was on to another grade level and teaching staff. They are not able to carry over the consistency of the student's specific needs, learning styles and IEP components in a successful manner. Due to the structure of the system, there is difficulty in matching the student's individual needs and learning styles with teaching staff member. Staff indicated for students that are in all general education classes, there is not the ability to work on specific learning tools.

The school district does not provide adequate documentation in the IEP process of the explanation of the extent, if any, to which the child will not participate in the general education curriculum, or extracurricular or other nonacademic activities. The documentation within the students' IEPs does not verify that the IEP teams are determining the appropriate setting after the needs, goals and objectives for the students are determined, nor does it support that the placement decisions are made individually for each child.

6 month reporting date 9/12/03
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Desired Outcome(s): Through systemic change, the district/agency will achieve these results for students with disabilities and their families.

Student with disabilities and their families will be offered the continuum of program options across the district in conformity with Least Restrictive Environment rules.

Measurable Goal: The district/agency determines what goals are appropriate given the areas of difficulty. There must be a direct relationship between the goal(s) and the needs identified in the present levels. **(Multiple goals may be identified for each principle. Please complete a new sheet for each goal.)**

2) The district will provide adequate documentation of least restrictive environment considerations.

Short Term Objectives: Include the specific measurable results that will be accomplished and the criteria that will be used to measure the results.	Timeline for Completion	Person(s) Responsible	6 month progress Record date objective is met	12 month progress Record date objective is met
2.1 The special education director will sample 23 student files to ensure there is adequate documentation of the explanation of the extent, if any, to which the child will not participate in the general education curriculum or extracurricular or other nonacademic activities in 100% of files.	November 2003	Special Education Director	85% of files reviewed as of Sept 2003	100% of files reviewed April 2004
2.2 23 student files will be sampled by the special education director for documentation to verify that IEP teams are determining the appropriate educational settings after needs, goals and objectives for the students are determined and, that these decisions are made individually in 100% of files sampled. In addition to this data, the district will take the 2002-2003 placement data as a baseline measure and report movement of students within the continuum of placements as reported on child count to reflect progress in meeting this goal.	November 2003	Special Education Director	100% of files reviewed as of Sept 2003	100% of files reviewed April 2004

Please explain the data (6 month)

2.1 – Of 33 files reviewed, 20 of the files were general classroom with modifications, and of the 13 remaining files, 5% had adequate documentation of explanation of extent, if any, to which the child will not participate in the general education curriculum or extra curricular or other non-academic activities.

2.2 – Of 33 files reviewed, all 33 (100%) documentation verified that IEP teams are determining the appropriate educational settings after needs, goals and objectives for the students are determined and, that these decisions are made individually. Placement data will also be provided to the OSE.

6 month reporting date 9/12/03
12 month reporting date 3/12/04
CLOSED 6/14/04

Please explain the data (12 month)

2.1 – Of 19 files reviewed, 7 were general classroom with modifications and of the 12 remaining files 100% had adequate documentation of the explanation of the extent, if any, to which the child will not participate in the general education curriculum or extra curricular or other non-academic activities.

2.2 – Of 19 files reviewed, all 19 (100%) documentation verified that IEP teams are determining the appropriate educational settings after needs, goals and objectives for the students are determined and, that these decisions are made individually. Placement data from 2002-2003 placement data was previously submitted to OSE.